

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 17, 2013
SAN FRANCISCO, CALIFORNIA**

S181004 B199571 Second Appellate District, Div. 8 **HARRIS (WYNONA) v. CITY OF SANTA MONICA**

Rehearing denied

Baxter, J., was recused and did not participate.

S208398 H035423 Sixth Appellate District **PEOPLE v. SHAZIER (DARIEL)**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Baxter, Chin, and Corrigan, JJ.

S208611 B242601 Second Appellate District, Div. 5 **CALIFORNIA CHARTER SCHOOLS ASSOCIATION v. LOS ANGELES UNIFIED SCHOOL DISTRICT**

Petition for review granted

The request for judicial notice is granted.

The request for review of an additional issue in defendants' answer to the petition for review is denied.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S195423 D059012 Fourth Appellate District, Div. 1 **PEOPLE v. VANGELDER (TERRY)**

Supplemental briefing ordered

The parties are directed to serve and file simultaneous supplemental briefs addressing the effect, if any, of the following:

1. Health & Safety Code sections 100700 and 100701;
2. California Code of Regulations, title 17, sections 1221.2 [concerning performance standards for breath-alcohol analysis machines] and 1221.3 [concerning a "Conforming Products list" for approved breath-alcohol analysis machines]; and
3. 58 Federal Register 48705, 48707-48708 (Sept. 17, 1993) ["Model Specifications for Evidential Breath Testing Devices" - providing that no machine can meet federal standards unless it "measure[s] the alcohol content of deep lung breath with sufficient accuracy for evidential purposes"]; 72 Federal Register 71480, 71481-71483 (Dec. 17, 2007)

[“Conforming Products List of Evidential Breath Measurement Devices” at time of trial]; 77 Federal Register 35747, 35748-35751 (June 14, 2012) [current “Conforming Products List of Evidential Breath Measurement Devices”].

Simultaneous supplemental briefs are to be served and filed no later than close of business on Monday, April 29, 2013. Simultaneous reply briefs may be served and filed by close of business on Friday, May 3, 2013.

S191948

**JOHN DOE v. HARRIS
(KAMALA D.)**

Motion for leave to intervene denied

The motion for leave to intervene, filed on April 4, 2013, is denied.

S208260 B232533 Second Appellate District, Div. 3

**PEOPLE v. ROMERO
(FERNANDO)**

Petitions for review denied

S208363 B234396 Second Appellate District, Div. 3

**PEOPLE v. MENDEZ
(DANIEL)**

Petitions for review denied

S208385 G043100 Fourth Appellate District, Div. 3

**PEOPLE v. BUTLER
(JEFFREY GORDON)**

Petition for review denied

S208419 A137080 First Appellate District, Div. 1

**CHEVRON PRODUCTS
COMPANY v. WORKERS’
COMPENSATION APPEALS
BOARD & COOKE
(MICHAEL)**

Petition for review denied

Baxter and Corrigan, JJ., were recused and did not participate.

S208523 D062785 Fourth Appellate District, Div. 1

**PADILLA (MELISSA) v. S.C.
(PEOPLE)**

Petitions for review denied

S208579 B237074 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. MAYHAM
(CARLTON)**

S208591 B235563 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. MORRISON
(AMON)**

S208594 B235835 Second Appellate District, Div. 1
Petition for review & depublishation request(s) denied
Respondent's motion to strike petitioner's reply is denied.

**SILAS (MARTINA A.) v.
ARDEN (JAMES ELLIS)**

S208599 B239119 Second Appellate District, Div. 4
Petition for review denied

**WHITE (KERRY) v.
HOLLISTER CO.**

S208629 E054592 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. MILLER (MARK
ANTHONY)**

S208636 F062544 Fifth Appellate District
Petition for review denied

**PEOPLE v. GUTIERREZ
(SALVADOR FERNANDO)**

S208649 D062930 Fourth Appellate District, Div. 1

Petition for review denied

**HAMILTON (LARRY) v.
WORKERS'
COMPENSATION APPEALS
BOARD & CALIFORNIA
INSURANCE GUARANTEE
ASSOCIATION FOR
FREMONT COMPENSATION
INSURANCE**

S208651 B233825 Second Appellate District, Div. 7
Petition for review & publication request(s) denied

C. (BETH) v. B. (MARCIA)

S208652 F066537 Fifth Appellate District

**HOOKE (JAMES
CHRISTOPHER) v. S.C.
(PEOPLE)**

Petition for review denied

S208682 F061394 Fifth Appellate District

**PEOPLE v. MANCILLA
(ANDREW ROGILLO)**

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides *People v. Vargas*, S203744.

S208686 A129840 First Appellate District, Div. 2

**PEOPLE v. MARTINEZ (JOSE
GARCIA)**

Petition for review denied

S208688 B235421 Second Appellate District, Div. 7

**PEOPLE v. MORENO
(THOMAS)**

Petition for review denied

S208695 D059348 Fourth Appellate District, Div. 1

**PEOPLE v. PARKS-BURNS
(BRANDON M.)**

Petitions for review denied

S208704 C063386 Third Appellate District

**PEOPLE v. MENDEZ
(RAMON ENRIQUEZ)**

Petition for review denied

S208710 C072180 Third Appellate District

**THOMAS (SYLVIA) v.
WORKERS'
COMPENSATION APPEALS
BOARD AND DEPARTMENT
OF PARKS & RECREATION**

Petition for review denied

S208731 E053553 Fourth Appellate District, Div. 2
Petition for review denied

PEOPLE v. DIEGO (LUCERO)

S208755 B232977 Second Appellate District, Div. 6
Petition for review denied

PEOPLE v. AVILA (DANIEL)

S208758 D059737 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. ARELLANO
(RAUL)**

S208765 H036859 Sixth Appellate District
Petition for review denied

**PEOPLE v. KING (DEBORAH
KIM)**

S208781 C063941 Third Appellate District
Petition for review denied

**PEOPLE v. MERRITT
(GREGORY MARCUS)**

S208796 F065858 Fifth Appellate District
Petition for review denied

**XIONG (KOOMEJ) v. S.C.
(PEOPLE)**

S208840 B232280 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. LATIMER
(LORENZO MICQUELL)**

S208844 E056319 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. VALDIVIA
(CHRISTOPHER JAMES)**

S208847 B236131 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. EDWARDS (KAI)

S208878 A133694 First Appellate District, Div. 5

Petition for review denied

**SALVIO STREET LLC v. LEE
(ALBERT)**

S208888 E056851 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BRUNSON
(TROY)**

S208889 A129910 First Appellate District, Div. 2

Petition for review denied

**ANDERSON (ROB) v. CITY &
COUNTY OF SAN
FRANCISCO**

S208891 A137189 First Appellate District, Div. 4

Petition for review denied

Chin, J., was recused and did not participate.

**BANK OF AMERICA, N.A. v.
SLOAN (SAMUEL H.)**

S208895 A137190 First Appellate District, Div. 4

Petition for review denied

Chin, J., was recused and did not participate.

**BANK OF AMERICA, N.A. v.
SLOAN (SAMUEL)**

S208901 B238648 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. HAYCRAFT
(SHAMAN)**

S208958 B237293 Second Appellate District, Div. 3

Petition for review denied

**JACKSON (JOHN W.) v.
NORCO INDUSTRIES**

S208963 B238943 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BARLOW
(PRISHA)**

S208968 B236694 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. BERG (RONALD L.)

S208992
Petition for writ of review denied

**FLAHIVE (GREGORY T.), IN
THE MATTER OF**

S208996 D063185 Fourth Appellate District, Div. 1
Petition for review denied

**WOODALL (SHAWN) ON
H.C.**

S209005 A134224 First Appellate District, Div. 1
Petition for review denied
Kennard, J., was recused and did not participate.

**HEWLETT (PATRICIA) v.
CHASE BANK USA, N.A.**

S209008 A130618 First Appellate District, Div. 1
Petitions for review denied

**PEOPLE v. ZAMORA
(FRANCISCO)**

S209072 B234085 Second Appellate District, Div. 7
Petition for review denied

**PEOPLE v. BRONSON (PAKI
JOHN)**

S209101 C068812 Third Appellate District
Petition for review denied

**PEOPLE v. LEON-HERRERA
(EFRAIN)**

S209111 D058357 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. ALI (AHMED)

S209113 D063481 Fourth Appellate District, Div. 1
Petition for review denied

**McPHERSON (JEFFREY
JOHN) ON H.C.**

S209123 B238590 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. TURNER (JUNIUS MacARTHUR)

S209127 H038783 Sixth Appellate District

Petition for review denied

JLJR LLC v. S.C. (WARD)

S209130 C068482 Third Appellate District

Petition for review denied

PEOPLE v. BOHANNAN (KELLY LEE)

S209133 E056914 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. ARRIAGA (ISAAC FERMIN)

S209134 E054229 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. DIAZ (ELVA)

S209137 D060135 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. GOINES (TRANES LAMONT)

S209141 A134211 First Appellate District, Div. 2

Petition for review denied

PEOPLE v. SERRANO (FRANCISCO JESUS)

S209142 B236983 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. HUNT (EARNELL)

S209144 H037337 Sixth Appellate District

Petition for review denied

PEOPLE v. GOMEZ (JOSEPH MICHAEL)

S209145 B236879 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. POTTER
(PAMELA ANN)**

S209147 H037462 Sixth Appellate District
Petition for review denied

**PEOPLE v. ALMANZA, JR.,
(MIGUEL SUAREZ)**

S209151 B236088 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. MORALES
(RICARDO)**

S209154 B246793 Second Appellate District, Div. 2
Petition for review denied

**JOHNSON (MATTHEW L.)
ON H.C.**

S209155 G045482 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. RODRIGUEZ, JR.,
(ROBERT CANDE)**

S209159 D059390 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. RIVERA, JR.,
(ALBERTO)**

S209163 B235883 Second Appellate District, Div. 7
Petition for review denied

**PEOPLE v. CARRILLO
(EDGAR A.)**

S209165 G046248 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. VILLEGAS, JR.,
(LUIS ERMINISUL)**

S209170 B233927 Second Appellate District, Div. 7
Petition for review denied

**MGM TRANSFORMER, INC.
v. ROSEN ELECTRIC**

S209174 F062768 Fifth Appellate District

Petition for review denied

**SCHEENSTRA (JOHN) v.
CALIFORNIA DAIRIES, INC.**

S209178 B235790 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. CABRERA
(PETRA ROCHA)**

S209180 D061411 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ROMERO
(HECTOR)**

S209197 B229482/B234011 Second Appellate District, Div. 8 **TURKANIS (RICHARD) &
PRICE (JOAN M.),
MARRIAGE OF**

Petition for review denied

S209208 B236474 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. EZZANIKOTUN
(ALI AVANTI)**

S209210 B239445 Second Appellate District, Div. 7

Petition for review denied

**NOTIS ENTERPRISES v. JMS
AIR CONDITIONING &
APPLIANCE SERVICE, INC.**

S209219 A125107 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GARCIA
(XAVIER)**

S209228 E054130 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HERMOSILLO
(ISRAEL DEJESUS)**

S209229 C068504 Third Appellate District

Petition for review denied

**PEOPLE v. SENGPHINITH
(ROBERT)**

S209236 B238290 Second Appellate District, Div. 1

Petition for review denied

**ZHANG (SHUMIN) v. CHENG
(PAUL P.)**

S209239 G045302 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. TRAN (SON KIM)

S209241 A134690 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. TANKSLEY
(KENNETH)**

S209254 B234938 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. LEPLAT (LOUIS
DANIEL)**

S209268 E058113 Fourth Appellate District, Div. 2

Petition for review denied

**WEATHERSPOON., JR.,
(MOSE) ON H.C.**

S209275 D061751 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MORGAN (CARL
GREEN)**

S209292 B233381 Second Appellate District, Div. 6

Petition for review denied

**LAZARO (PABLO) v.
VENTURA COUNTY CIVIL
SERVICE COMMISSION
(VENTURA COUNTY
SHERIFF'S DEPARTMENT)**

S209311 D062449 Fourth Appellate District, Div. 1

**PEOPLE v. JORDAN
(DONALD E.)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. McCullough*, S192513.

S209314 B239665 Second Appellate District, Div. 8

**PEOPLE v. GALICIA
(MIGUEL)**

Petition for review denied

S209322 E054156 Fourth Appellate District, Div. 2

**PEOPLE v. MAYON
(IGNACIO CENICEROS)**

Petition for review denied

S209620 B243353 Second Appellate District, Div. 1

**SECURITAS SECURITY
SERVICES USA, INC. v. S.C.
(LINARES)**

Petition for review & application for stay denied

S207188

**CRAYTON (TIMOTHY) ON
H.C.**

Petition for writ of habeas corpus denied

S207446

**BAUSMAN (BARRY ALLAN)
ON H.C.**

Petition for writ of habeas corpus denied

S207727

BUTLER (PERRY C.) ON H.C.

Petition for writ of habeas corpus denied

S208072

**LANE (WILLIAM CHARLES)
ON H.C.**

Petition for writ of habeas corpus denied

S208108

DAY (WILLIAM) ON H.C.

Petition for writ of habeas corpus denied

S208110**OWEN, JR., (CHESTER
WILLIAM) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208119**ROGERS (REID WILLIAM)
ON H.C.**

Petition for writ of habeas corpus denied

S208137**SULKEY (JOSEPH CARL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208141**MOSLEY (QUINCY L.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208188**KITCHEN (TERRY) ON H.C.**

Petition for writ of habeas corpus denied

S208230**BRUMFIELD, JR., (RODRICK
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

S208331**CRAVER (ANDRE) ON H.C.**

Petition for writ of habeas corpus denied

S208337**BECERRA (JUAN PABLO)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.)

S208351**BURNS (JEROME) ON H.C.**

Petition for writ of habeas corpus denied

S208399**BARRAZA (STEVE JAVIER)
ON H.C.**

Petition for writ of habeas corpus denied

S208401**JONES (MILTON) ON H.C.**

Petition for writ of habeas corpus denied

S208428**HERNANDEZ (JOHNNY) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.)**S208504****PALOMAR II (GEORGE
RUIZ) ON H.C.**

Petition for writ of habeas corpus denied

S208512**MENDEZ (RONALD) ON H.C.**

Petition for writ of habeas corpus denied

S208520**VASQUEZ (JOSE A.) ON H.C.**

Petition for writ of habeas corpus denied

S208534**YOUNG (TURK LAMAR) ON
H.C.**

Petition for writ of habeas corpus denied

S208546**VIERHELLER (DONALD
ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S208548**WALDRIP (ANTHONY) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S208558**CAMARILLO (JUAN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208562**MARQUEZ (VINCENT) ON
H.C.**

Petition for writ of habeas corpus denied

S208564**SANCHEZ (ISRAEL
RADILLO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S208565**JACKSON (STEPHEN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S208580**HOWELL (ROBERT GLENN)
ON H.C.**

Petition for writ of habeas corpus denied

S208634**RIVA (ROBBIE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 797-798.)

S208679**ROLDAN (ALFRED) ON H.C.**

Petition for writ of habeas corpus denied

S208681**JOSEPH (ALONZO) ON H.C.**

Petition for writ of habeas corpus denied

S208693**BIDDLE (RICKIE) ON H.C.**

Petition for writ of habeas corpus denied

S208698

Petition for writ of habeas corpus denied

BOYD (ROBIN) ON H.C.**S208721**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

**WALKER (DARNEL
DAVONE) ON H.C.****S208738**

Petition for writ of habeas corpus denied

**VALENCIA (JONATHAN) ON
H.C.****S208752**

Petition for writ of habeas corpus denied

**LAUREL (DOMINGO) ON
H.C.****S208772**

Petition for writ of habeas corpus denied

**POWELL (DAMEON
LAMONT) ON H.C.****S208807**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

**BAZLEY (MICHAEL) ON
H.C.****S208824**

Petition for writ of habeas corpus denied

**MATA, JR., (ISIDORO) ON
H.C.****S208833**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

TUT (ROLANDO) ON H.C.**S208853**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925; *In re Swain* (1949) 34 Cal.2d 300, 304.)

ESPINOZA (ISRAEL) ON H.C.

S208856

Petition for writ of habeas corpus denied

BOYKIN (SHAWN) ON H.C.**S208911**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

SCHessler (JOSEPH) ON H.C.**S208915**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

ZEPEDA (ROBERT) ON H.C.**S208918**

Petition for writ of habeas corpus denied

AZEEZ II (EDUL JINNAH) ON H.C.**S208920**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735.)

ELLINGTON (MARCUS RUBEN) ON H.C.**S208921**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

TURNER (KIRK) ON H.C.**S208924**

Petition for writ of habeas corpus denied

RUIZ (IGNACIO) ON H.C.**S208925**

Petition for writ of habeas corpus denied

MARTIN (BRIAN DOUGLAS) ON H.C.**S208930**

Petition for writ of habeas corpus denied

KEESLING (PAUL) ON H.C.

S208932**ATKINS (GENE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208938**PARIS (MICHAEL ANDREW)
ON H.C.**

Petition for writ of habeas corpus denied

S208939**QUILLING (STEVEN
MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

S208941**SANDERS (STEVEN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208944**CRAPO (DALE) ON H.C.**

Petition for writ of habeas corpus denied

S208978**FORT (RONALD) ON H.C.**

Petition for writ of habeas corpus denied

S208979**MAYES (RICHARD
VINCENT) ON H.C.**

Petition for writ of habeas corpus denied

S208985**GUIBAULT (KAWIKA) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735.)

S208988**GREEN (DONALD) ON H.C.**

Petition for writ of habeas corpus denied

S209044**GUYTON (FRANCISCO G.)
ON H.C.**

Petition for writ of habeas corpus denied

S209055**CEASAR III (WALTER
DANNY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S209060**AMADOR (CARLOS M.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S209061**ACOSTA (FERNANDO) ON
H.C.**

Petition for writ of habeas corpus denied

S209064**HARVEY (JAMES EARL) ON
H.C.**

Petition for writ of habeas corpus denied

S209068**TORRES (ERNEST ALFRED)
ON H.C.**

Petition for writ of habeas corpus denied

S209087**SCOTT (CLARENCE LEE)
ON H.C.**

Petition for writ of habeas corpus denied

S209091**ZAMUDIO-REYES
(SOCORRO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S209106**ROBLES (BALENTIN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S209108**KELSON (BRENDA LEE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S209218**HERNANDEZ, JR.,
(ARMANDO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S209249**CRUMP (STEVE) ON H.C.**

Petition for writ of habeas corpus denied

S209250**KING (KEVIN WILLIAM) ON
H.C.**

Petition for writ of habeas corpus denied

S209319**MACIAS, JR., (DAVID) ON
H.C.**

Petition for writ of habeas corpus denied

S209402**AIDNIK (JEFF C.) ON H.C.**

Petition for writ of habeas corpus denied

S209467**WILLIAMS (JOE) ON H.C.**

Petition for writ of habeas corpus denied

S123054 B167843 Second Appellate District, Div. 7

**HICKS (ROBIN) v. S.C.
(KAUFMAN & BROAD
HOME CORPORATION)**

Publication request denied (case closed)

S208289 D061088 Fourth Appellate District, Div. 1

**WICK (DAVID) v. MHC
RANCHO MESA LLC**

Publication request denied (case closed)

S208919 G045769 Fourth Appellate District, Div. 3

**SELBY (AMANDA) v.
CINGULAR WIRELESS LLC**

Publication request denied (case closed)

Baxter and Werdegarr, JJ., were recused and did not participate.

S208937 B234636 Second Appellate District, Div. 4

**SO (YUN HEE) v. SHIN
(SOOK JA)**

The requests for an order directing depublication of the opinion in the above-entitled appeal are denied.

S209117 H038595 Sixth Appellate District

**MURRAY (MICHAEL) v. S.C.
(PEOPLE)**

The requests for an order directing publication of the opinion in the above-entitled appeal are denied.

S210044 G046265 Fourth Appellate District, Div. 3

**PEOPLE v. POWELL (RYAN
LUKE)**

Time for ordering review extended on the court's own motion

The time for granting review on the court's own motion is hereby extended to July 3, 2013. (Cal. Rules of Court, rule 8.512(c).)

S207314 B238460 Second Appellate District, Div. 7

M. (LUIS) v. S.C. (PEOPLE)

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 17, 2013.

S058734**PEOPLE v. HOLMES (KARL DARNELL), McCLAIN (HERBERT CHARLES) & NEWBORN (LORENZO)**

Counsel appointment order filed

Good cause appearing, the application of appointed appellate counsel Debra S. Sabah Press for the appointment of associate counsel of record, filed March 18, 2013, is granted.

Charles J. Press is hereby appointed as associate counsel to represent appellant Herbert Charles McClain for the direct appeal in the above automatic appeal now pending in this court.

S187622**O'MALLEY III (JAMES FRANCIS) ON H.C.**

Motion to file document under seal granted

Petitioner's application for leave to file under seal Volume XVII, Exhibit 310, lodged with this court on March 5, 2013, is granted. As to this exhibit, the court makes the findings required by California Rules of Court, rule 2.550(d) and 8.46(e). The Clerk is directed to file the volume under seal. Petitioner is directed to serve Respondent with a copy of the volume.

S209885**RASHEED (TAHEE ABDULLAH) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District.

S194823**VALLONE ON DISCIPLINE**

Probation revoked

The court orders that the probation of PAUL ERNEST VALLONE, State Bar Number 168395, is revoked. The court further orders that:

1. PAUL ERNEST VALLONE is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirement is satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. PAUL ERNEST VALLONE is given credit towards the two\}-year suspension for the period of involuntary inactive enrollment which commenced on July 14, 2012.

PAUL ERNEST VALLONE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S206086**ELSTEAD ON DISCIPLINE**

Petition for writ of review denied; recommended discipline imposed

The petition for writ of review is denied.

The court orders that JOHN CLIFTON ELSTEAD, State Bar Number 61048, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JOHN CLIFTON ELSTEAD is suspended from the practice of law for the first six months of probation;
2. JOHN CLIFTON ELSTEAD must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on July 17, 2012; and
3. At the expiration of the period of probation, if JOHN CLIFTON ELSTEAD has complied with all conditions of probation, the two year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN CLIFTON ELSTEAD must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

JOHN CLIFTON ELSTEAD must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

